



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ASSOCIATION FOR MOLECULAR  
PATHOLOGY et al.,

Plaintiffs,

vs.

UNITED STATES PATENT AND TRADEMARK  
OFFICE; et al.,

Defendants.  
-----X

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: 09-CV-4515 (RWS)

:  
: ECF

:  
: **MOTION FOR LEAVE TO FILE**  
: **BRIEF AMICUS CURIAE**

PLEASE TAKE NOTICE that proposed *Amici Curiae* March of Dimes Foundation, Canavan Foundation, Claire Altman Heine Foundation, Massachusetts Breast Cancer Coalition, National Organization for Rare Disorders, and National Tay-Sachs & Allied Diseases Association shall move this Court, before the Honorable Robert W. Sweet, United States District Judge, at the United States Courthouse, 500 Pearl Street, New York, New York at a date and time to be determined by the Court, for leave to file a brief *amicus curiae*.

Attached hereto are: (1) Memorandum of Law in Support of this Motion for Leave to File a proposed brief *amicus curiae*, (2) proposed Order granting leave to file the proposed brief *amicus curiae*, and (3) the proposed brief *amicus curiae*.

Dated: August 26, 2009

DEWEY & LEBOEUF LLP

By: /s/ Mark D. Shtilerman

Barbara A. Caulfield (pending *pro hac vice*)

Michael J. Malecek (pending *pro hac vice*)

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*Sgt. Clerk  
D. T. S. S.  
8/31/09*